LEGISLATIVE BUSINESS.

THE TRAVANCORE KAMMALA BILL—(*concld.*)

MR. P. C. KURIYAN (*Kottayam I*): Sir, yesterday I began with saying that I was a little nervous in taking one view or the other in the matter as I was given to understand that there were two views taken by the two sections of the community one represented by Mr. Nilakantan and the other by Mr. Velu Achari. But having solved the principle of the Bill I think both are agreed that there is a distinction and that the Kammalas in Travancore have no definite uniform law for themselves and both are agreed as to the necessity for a legislation. (*At this stage the Deputy President took the Chair*). The chief argument of Mr. Velu Achari is that there is no distinction between the Malayalam speaking and the Tamil speaking Kammalas. Both of them are agreed that there are small sections in the community following different customs. So, on that question both are agreed that there is real need for a legislation. I think the Bill now brought forward by the mover will meet with the grievances of the community and redress them. I hope necessary changes will be made in the Select Committee.

MR. M. SIVATANU PILLAI (*Tovala*): I think there is a misunderstanding on the part of the honourable members of the House in respect of the scope of the Bill. I do say that I support the Bill in so far as it has got a restricted scope in that it is made applicable only to Malayalam speaking Kammalas. In this connection I wish to emphasise this point. The Bill refers to the Malayalam speaking Kammalas and it is rightly so. The mover himself says in the Statement of Objects and Reasons of the Bill that in case the Tamil speaking Kammalas who are desirous of coming under the provisions of the Bill the choice must be given to them. That itself will show that the mover is quite clear about the scope of the Bill and that he does not include them (namely the so called Tamil speaking Kammalas). My friend Mr. Velu Achari who has been co-opted for this Bill, apart from his personal reference in respect of the honourable member the mover which this House should unhesitatingly condemn, took very strong objection to the limited scope of the Bill because it does not cover the so-called Tamil speaking Kammalas as well. I do not know and I have yet to learn whether there is such a community as Tamil speaking Kammalas as opposed to Malayalam speaking Kammalas. I do not find that there is any community as the Malayalam speaking Kammala community or the Tamil speaking Kammala community; but I have heard of Malayala Kammalas and Tamil Kammalas. Not only there is among them difference in the language; but also they belong to different and distinct section, so much so each exists as one community. There are two communities of Kammalas as the Nanjanad Vellala and the Syva Vellala of the Vellala community. All the same it is the Vellala community having two sections with different customs, different laws of inheritance and different laws relating to marriage. It has been suggested by a member of this House that it is like the Malayala Brahmins and the Tamil

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[Mr. M. Sivatanu Pillai].

Brahmins. But I ask whether there is not a difference in the matter of their marriage, inheritance and customs? And have we not enacted legislation recently for Malayala Brahmins alone? So also, I ask the House to bear in mind, that there is a distinct feature about the so-called Tamil Kammalas. I claim to know about the Tamil Kammalas better. It is known to the members of the House that I come from a part of the country where the Tamil Kammalas live in large numbers. I may say that the Tamil Kammalas do not wish them (even) to be called Kammalas. They claim to be called Viswakarma. They do not even hesitate to call themselves Viswakarma Brahmins. Recently in an order of the Madras Government it is stated and accepted that there is difference between the Andra Kammalas and the Tamil Kammalas in British India and these are also distinguished from Malayala Kammalas of Malabar. The Census Reports also say that there are Malayala and Tamil Kammalas. So the distinction has been recognised not only in Travancore but also by the Madras Government. What I wish to emphasise in this connection is, that if this Tamil community wishes to claim to be called Viswakarmas as a distinct community there is ample justification for it. My friend Mr. G. Nilakantan referred to the fact that there is no proper valid marriage for Malayalam speaking Kammalas, that a Malayalam speaking Kammala woman can have more than one husband and that they can dissolve their marriages at will. In other words polygamy and polyandry are quite common. But as a matter of fact ordinarily among the Tamil Kammalas, who are called Viswakarmas in South Travancore, there is not even widow remarriage. They are governed by Hindu Law. Their manners and customs are entirely different from the Malayala Kammala so much so that there is no wonder that they want to be distinctly differentiated from the Malayalam speaking Kammalas.

MR. P. C. KURIYAN (*Kottayam I*): Is it the member's view that the manners and customs of the Malayalam speaking Kammalas are the same throughout the country?

MR. M. SIVATANU PILLAI (*Tovala*): I think so.

This Bill, as the mover intends it to be, should be restricted in its application only to Malayalam speaking Kammalas and not to the so-called Tamil speaking Kammalas or as we call them, Viswakarmas.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Are there Malayalam speaking Kammalas in South Travancore?

MR. M. SIVATANU PILLAI (*Tovala*): Oh yes, who have migrated from North Travancore and Malabar.

MR. A. THANU PILLAI (*Trivandrum—Rural*): Do they speak Tamil?

MR. M. SIVATANU PILLAI (*Tovala*): They can speak brokenTamil as they do not want to speak in Malayalam among Tamilians.

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether there is intermarriage in South Travancore between the Malayalam speaking Kammalas and the Tamil speaking Kammalas?

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MR. M. SIVATANU PILLAI (*Tovala*) There is absolutely no marriage between the Malayalam speaking Kammalas and the so-called Tamil speaking Kammalas.

DEPUTY PRESIDENT: Mr. Velu Achari wants to put a question.

MR. N. VELU ACHARI (*Co-opted*): ഇന്നലെ നടന്ന ലാ മെമ്പറുടെ പ്രസംഗത്തിൽ നിന്നും എനിക്കുചില സംശയങ്ങൾ ഉണ്ടായിട്ടുണ്ട്. ആ സംശയം തീർക്കേണ്ടിയിരിക്കുന്നു.

DEPUTY PRESIDENT: മെമ്പർക്ക് ഏതെങ്കിലും ചോദിക്കാനുണ്ടെങ്കിൽ അതു ചോദ്യരൂപത്തിൽ മാത്രമെ പാടുള്ളൂ.

MR. N. VELU ACHARI (*Co-opted*): ക്ഷേത്രങ്ങളും വിഗ്രഹങ്ങളും പണിചെയ്യുവാനുള്ളത് മലയാളം സംസാരിക്കുന്ന ആശാരിമാരോ അതല്ല തമിഴ് സംസാരിക്കുന്ന ആശാരിമാരോ എന്നറിഞ്ഞാൽ കൊള്ളാം.

MR. M. SIVATANU PILLAI (*Tovala*). As a matter of fact I do recognise the force of the question. The Viswakarmas have built temples. I can easily discover in such places where temples have a different fashion that it might have been built by the Malayalam speaking Kammalas. And this is also a strong point to support my position. Among these two communities even the taste and architecture also differ.

MR. N. VELU ACHARI (*Co-opted*): എന്റെ ചോദ്യത്തിന് മലയാളത്തിൽ ഉത്തരം പറഞ്ഞാൽ കൊള്ളാം.

MR. M. SIVATANU PILLAI (*Tovala*): What I wish to emphasise is that they could be distinguished even by their professional attainments. In my place Nadars belonging to Hindu and Nair sections, have also taken to all the professional work as are followed by these Kammalas namely carpentry, smithery, goldsmith etc. By virtue of this fact could they be called Kammalas? Profession in life may be the same, but they are different communities.

MR. N. VELU ACHARI (*Co-opted*): എന്റെ ചോദ്യത്തിനു മലയാളത്തിൽ ഉത്തരം പറയണമെന്ന് ഒന്നുകൂടി അപേക്ഷിക്കുന്നു.

DEPUTY PRESIDENT: മറ്റു മെമ്പറന്മാർ ആവശ്യപ്പെടുന്നതുപോലെയുള്ള ഭാഷയിൽ ഇവിടെ സംസാരിക്കണമെന്നു നിയമമില്ല.

The honourable member seems to be under a misapprehension. Here nobody can speak on the suggestion of another member. Mr. Sivatanu Pillai may continue

MR. M. SIVATANU PILLAI (*Tovala*): If my friend wants an answer I shall give it in the vernacular I am familiar with.

DEPUTY PRESIDENT: Questions may be answered in Malayalam.

MR. M. SIVATANU PILLAI (*Tovala*): Let me make an attempt Sir, to speak in Malayalam.

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[Mr. M. Sivatanu Pillai].

ദ്രാവിഡക്ഷേത്രങ്ങൾ പണി ചെയ്യുന്നത് വിശ്വകർമ്മാ ബ്രാഹ്മണസമുദായം എന്നു പറയുന്ന സമുദായക്കാരാണ്.

MR. N. VELU ACHARI (*Co-opted*) : അവർ മലയാളവും തമിഴും സംസാരിക്കുന്നവർ ഇല്ലേ?

MR. M. SIVATANU PILLAI (*Tovala*) : അവർക്കു മലയാളം അറിഞ്ഞുകൂടാ; പക്ഷെ ചിലർ സംസാരിക്കും.

MR. N. VELU ACHARI (*Co opted*) : ക്ഷേത്രങ്ങളിലുള്ള വിഗ്രഹങ്ങൾ പണി ചെയ്യുന്നത് ആരാണ്?

MR. M. SIVATANU PILLAI (*Tovala*) : അതും വിശ്വകർമ്മസമുദായത്തിൽപെട്ട ആശാരിമാരാണ്.

MR. N. VELU ACHARI (*Co-opted*) : അവർ സംസാരിക്കുന്നതു മലയാളമോ തമിഴോ?

MR. M. SIVATANU PILLAI (*Tovala*) : അവർക്കു മലയാളം അറിഞ്ഞുകൂടാ. തമിഴാണ് സംസാരിക്കുന്നത്.

MR. N. VELU ACHARI (*Co-opted*) വിഗ്രഹങ്ങളും ക്ഷേത്രങ്ങളും പണി ചെയ്യുന്ന എന്നു മെമ്പർ പറയുന്ന ആശാരിമാർ വിഗ്രഹം പണി ചെയ്യുമ്പോൾ ബ്രഹ്മസൂത്രം ധരിക്കുന്ന പതിവുണ്ടോ?

MR. M. SIVATANU PILLAI (*Tovala*) : വിഗ്രഹം പണി ചെയ്യുമ്പോഴെന്നുമാത്രമല്ല എപ്പോഴും അവർ ബ്രഹ്മസൂത്രം ധരിക്കുന്നുണ്ട്.

MR. N VELU ACHARI (*Co-opted*): തിരുവിതാംകൂറിലുള്ള ക്ഷേത്രപണിയാശാരിമാരും ഈ തരത്തിലുള്ളവരാണെന്നറിയാമോ?

MR. M. SIVATANU PILLAI (*Tovala*): അല്ലെന്നാണ് എന്റെ വിശ്വാസം. വിശ്വകർമ്മബ്രാഹ്മണസമുദായം മലയാളം സംസാരിക്കുന്നില്ല.

MR. N. VELU ACHARI (*Co-opted*): ക്ഷേത്രങ്ങളിലുള്ള ഗ്രന്ഥവരികാം കൊണ്ടും മഹാരാജാവു തിരുമനസ്സുകൊണ്ടു കൊടുക്കുന്ന നീട്ടുകൊണ്ടും വിഗ്രഹങ്ങളും ക്ഷേത്രങ്ങളും പണി ചെയ്യുന്നതു ഈ നാട്ടിലെ കമ്മാളരാണെന്നു കാണുന്ന സ്ഥിതിക്ക് അതിനെ മെമ്പർ സമ്മതിക്കുമോ?

DEPUTY PRESIDENT : That question is out of order.

MR. P. C. KURIYAN (*Kottayam I*) : May I know what conception is followed by these Kammalas in constructing temples ?

MR. M. SIVATANU PILLAI (*Tovala*) : They follow Dravidian architecture. Even now Dravidian temples are constructed by these Viswakarma Brahmins.

MR. P. C. KURIYAN (*Kottayam I*) : May I know.....

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DEPUTY PRESIDENT: I hear some voice but I am unable to distinguish the words.

MR. P. C. KURIYAN (*Kottayam I*): May I know which temple is constructed by these Viswakarma Brahmins?

MR. M. SIVATANU PILLAI (*Tovala*): If my honourable friend will take a trip to South Travancore he will be able to find the difference between the architecture of the temples in North Travancore and in South Travancore.

MR. N. VELU ACHARI (*Co-opted*): ഞാൻ വിശ്വകർമ്മസമുദായത്തിന്റെ അഭിവൃദ്ധിക്കുവേണ്ടി ചെയ്തിട്ടുള്ള പ്രചരണവേലകളും നടത്തിവരുന്നു എന്നു മെമ്പർക്കറിയാമോ?

DEPUTY PRESIDENT: The question is irrelevant.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I am second to none to contribute my humble tribute to the honourable co-opted member for his public work.

DEPUTY PRESIDENT: I wish the honourable member will bear in mind that I have not allowed the question. You can proceed with your arguments.

MR. N. VELU ACHARI (*Co-opted*): ഇവിടെ പല ഭാഗങ്ങളിലുംപോയി വേണ്ട വിവരങ്ങൾ ശേഖരിച്ചിട്ടുണ്ട് എന്നു പറയുന്നു. എന്നാൽ ഞാൻ സമുദായത്തിന്റെ അഭിവൃദ്ധിക്കുവേണ്ടി വേല ചെയ്യുന്ന ആളാണെന്നറിയാമോ?

DEPUTY PRESIDENT: Order. Order. There must be a limit to the considerations which a Chair may show even to a new member. I thought at first, that Mr. Velu Achari was giving a personal explanation and he had the right to do so. Now, I find that he transgresses those limits. If Mr. Achari wants to say anything it may be done in the proper manner. If Mr. Achari wants to put a question he may do so. Mr. Sivatanu Pillai, please continue.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, I was referring to the simple aspect of the question which the House would consider. From the similarity of profession which is followed by the two sections of the community it should not be presumed that in all other things they are alike. There may be "Acharies," "Thattans," "Kollans" etc., (in more than one community.) The mover of the Bill himself has referred to the fact that there is the presence of this (Tamil) section of the community. In South Travancore, "Acharies" "Thattans" and "Kollans" are to be found even among the Nadars. So does it necessarily follow that because the Tamil speaking Kammalas and the Malayalam speaking Kammalas follow one and the same profession they must be treated as one community for the purpose of this Bill?

MR. N. VELU ACHARI (*Co-opted*): മതാക്ഷരലാ നിയമമാണൊ?

MR. M. SIVATANU PILLAI (*Tovala*): അതെ.

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MR. N. VELU ACHARI (*Co-opted*): ആ നിയമം അനുസരിച്ചു എത്ര ജാതിക്കാർ അതിൽ ഉൾപ്പെട്ടുനുണ്ട്?

MR. M SIVATANU PILLAI (*Tovala*): ധാരാളംപേർ ഉൾപ്പെട്ടുനുണ്ട്. അതിൽ മുക്കുവഴി വെള്ളാളർ, വിശ്വകർമ്മാബ്രാഹ്മണർ എന്നിങ്ങനെ ധാരാളം സമുദായങ്ങളും ഉണ്ട്.

MR. N. VELU ACHARI (*Co-opted*): വെള്ളാള ബിൽ ഒരു നിയമമാണോ?

MR. M. SIVATANU PILLAI (*Tovala*): എന്നാണ് ഞാൻ വിചാരിക്കുന്നത്.

MR. N. VELU ACHARI (*Co-opted*): അതിൽ പല വകുപ്പുകളും ചേർന്നിട്ടില്ലെ?

MR. M. SIVATANU PILLAI (*Tovala*): വകുപ്പുകളൊന്നേയുള്ളൂ, അതുകൊണ്ടു ധാരാളം ഉണ്ട്.

MR. N. VELU ACHARI (*Co-opted*): മിതാക്ഷരാ പ്രകാരം എങ്ങിനെ ധാരാളം ജാതിക്കാർ ഉൾപ്പെട്ടിരിക്കുന്നുവൊ അതുപോലെ ഈ കമ്മാളബിൽ അനുസരിച്ചും പലർക്കും ഉൾപ്പെട്ടിരിക്കാൻ പാടില്ലെ?

DEPUTY PRESIDENT: The member cannot make a speech. I have been giving a very great latitude to the member. But the member cannot make a speech now. I have warned the member several times. If there is any relevant question to be asked the member can very well ask it. But the law must be obeyed.

MR. A. THANU PILLAI (*Trivandrum-Rural*): Sir, to make the member understand, the ruling may be given in Malayalam.

DEPUTY PRESIDENT: The advice is very generous but the Chair does not propose to do that now, especially because the member is understood to know English though he does not talk English.

MR. M. SIVATANU PILLAI (*Tovala*): Sir, a confusion of issues has arisen in the course of the debate with reference to the difference between the Tamil Kammalas and the Malayala Kammalas. If I remember aright, in the course of the speech of Mr. Velu Achari a question was put to him asking whether he would be satisfied if it includes the Tamil speaking Kammalas also in the scope of the Bill and he answered that he would then have no objection to the Bill. Naturally the debate continued on the assumption that the difference between the Tamil speaking and the Malayalam speaking Kammalas is not fundamental. But the fact is otherwise. Assuming that there is practically no difference between them even then the mover does not want the Tamil speaking Kammalas to be brought within the scope of the Bill. In the face of this unmistaken object of the mover, to include the Tamil Kammalas now is not warranted in law or procedure.

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MR. N. VELU ACHARI (*Co-opted*) : വെള്ളാളബില്ലിനെപ്പററി അറിയാമൊ?

MR. M. SIVATANU PILLAI (*Tovala*): അറിയാം, എന്നാൽ അതു നാഞ്ചിനാട്ടു വെള്ളാളക്കു മാത്രമാണു്. മറു വെള്ളാളക്കു പ്രത്യേകം ബില്ലു് ഇല്ല. അവരുടെ ആചാരം, ദായക്രമം, വിവാഹം എന്നിതുകൾക്കു യാതൊരു വ്യത്യാസവുമില്ലാതെ മിതാക്ഷരചട്ടം ബാധിക്കുന്നതാണു.

MR. N. VELU ACHARI (*Co-opted*) അവരുടെ സ്ത്രീകൾ നായർ സ്ത്രീകൾ ധരിക്കുന്നതുപോലുള്ള ഉടുപ്പുകളാണു് ധരിക്കുന്നതെന്നറിയാമൊ?

MR. M. SIVATANU PILLAI (*Tovala*) : സ്ത്രീകൾ സാധാരണയായി ഉടുപ്പുകൾ ധരിക്കുന്ന പതിവില്ല.

MR. N. VELU ACHARI (*Co-opted*) ; ഉത്തരതിരുവിതാംകൂറിലുള്ള നായർ സ്ത്രീകളുടെ വസ്ത്രധാരണരീതിയിലല്ലേ ഇവരും വസ്ത്രധാരണം ചെയ്യുന്നതു്?

MR. M. SIVATANU PILLAI (*Tovala*) : തമിഴിനും മലയാളത്തിനും തമ്മിൽ എല്ലാത്തിനും വ്യത്യാസമിരിക്കുന്നതുപോലെ തമിഴ് ഭാഷ സംസാരിക്കുന്നവർ നിറമുള്ള ചേല ഉടുത്തുവരുന്നു. മലയാളം സംസാരിക്കുന്നവർ വെളുത്തവസ്ത്രം ധരിക്കുന്നു.

MR. N. VELU ACHARI (*Co-opted*) : തമിഴ് നാട്ടിനു അടുത്തു താമസിക്കുന്ന ആളുകൾ നിറമുള്ള വസ്ത്രങ്ങളും ഉത്തരതിരുവിതാംകൂറിൽ താമസിക്കുന്നവർ വെളുത്ത വസ്ത്രങ്ങളും ധരിക്കുന്നു എന്നുള്ളതുകൊണ്ടു് രണ്ടു പേർക്കും ഒരു ബില്ലിന്റെ പരിധിയിൽ ഉൾപ്പെട്ട കൂടാ എന്നുണ്ടോ?

MR. M. SIVATANU PILLAI (*Tovala*) : ഉൾപ്പെട്ടുകൂടാ എന്നില്ല. എന്നാൽദായക്രമത്തിലും വിവാഹരീതിയിലും മറും പല വ്യത്യാസങ്ങളും ഉണ്ടെന്നേ ഞാൻ പറയുന്നുള്ളൂ. അതുകൊണ്ടു പ്രത്യേകം വഗ്ഗമാണെന്നു തെളിയുന്നുണ്ടു്.

MR. N. VELU ACHARI (*Co-opted*) : ഈ ബിൽ അവതാരകൻതന്നെ അദ്ദേഹത്തിന്റെ മകളെതമിഴ് സംസാരിക്കുന്ന ഒരു ആശാരിക്കു് കല്യാണം കഴിച്ചു കൊടുത്തതായി അറിയാമൊ?

MR. M. SIVATANU PILLAI (*Tovala*) : അതിന്റെ ഫലം എന്റെ വാദമുഖത്തെ ബലപ്പെടുത്തുന്നു. അകാരണംഅടിസ്ഥാനപ്പെടുത്തിയാണു അങ്ങനെ പാടില്ല എന്നു ഞാൻ പറയുന്നതു്. അങ്ങിനെ ഒരു കല്യാണം കഴിഞ്ഞു എന്നല്ലാതെ അതു ശരിയാകാത്തതു തമ്മിൽ വളരെ വ്യത്യാസമുള്ള മലയാളത്തിനേയും തമിഴിനേയും ഘടിപ്പിക്കാൻ യത്നിച്ചതുകൊണ്ടാണു്.

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DEPUTY PRESIDENT : I suppose that you have done with your speech.

MR. VELU ACHARI (*Co-opted*) : മിതാക്ഷരം ലായിൽ അങ്ങിനെയുള്ള ഭേദങ്ങൾ ഉണ്ടോ?

MR. M. SIVATANU PILLAI (*Tovala*) : ധാരാളം ഉണ്ട്.

DEPUTY PRESIDENT : I now say that Mr. Sivatanu Pillai may continue his speech. No more questions can be allowed.

MR. M. SIVATANU PILLAI (*Tovala*) : Sir, apart from the fact that these two sections with difference in language, which I concede do form part of Kammalas, I do maintain that there are distinguishing features and difference between the Tamil speaking and Malayalam speaking Kammalas in respect of marriage, law of inheritance, manners and customs. So, what I say is that a separate Bill has to be provided for the Malayalam speaking Kammalas who do require legislation in these matters, as there is no settled law or custom having the force of law.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Is there any intermarriage among the Tamil speaking and the Malayalam speaking Kammalas?

MR. M. SIVATANU PILLAI (*Tovala*) : So far as I know, there is no such intermarriage at all.

Certain intermarriages might take place. But there is the difference in custom, manners and system of law followed by the husband and wife. That is why immediately the marriage is over they get themselves disgusted with each other and separation is effected. That is as a result of the conflict of custom, culture and law.

DEPUTY PRESIDENT : Is the honourable member in support of the Bill as it stands?

MR. M. SIVATANU PILLAI (*Tovala*) : I am in support of the Bill .....

MR. A. ACHYUTHAN (*Kartikapalli I*) : Is there any interdining between the Viswakarma Brahmins and the Malayala Kammalas?

MR. M. SIVATANU PILLAI (*Tovala*) : The Viswakarma Kammalas do not even dine with the Vellalas. They consider themselves higher than the Vellalas and they think that they almost approach the Brahmin community.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*) : May I know whether intermarriages and interdining are necessary between two sections of the community so that the law may be applied to both the classes?

MR. M. SIVATANU PILLAI (*Tovala*) : My friend misunderstands things. What I was stating is that there are certain provisions in the Bill which contemplate peculiar and loose practice followed among Malayala Kammalas which is not at all found in the particular section of the Tamil community following strict Hindu law. For example, in the Bill here it is provided that a widow can be remarried and divorce

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should be freely allowed. In the case of Tamil Kammalas they resent widow remarriage as they are followers of Hindu law, and they will not countenance free divorce. These things are to be attained by social reform. In short, there is settled law for Tamil Kammalas, namely Hindu Mithakshara Law, whereas the Malayala Kammalas, have no law and hence they do want legislation.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): May I know from the member whether there is a Brahmin Law which applies to Nambootiris, Moothathus and Elayathus alike?

MR. M. SIVATANU PILLAI (*Tovala*): There is difference between the Malayala Brahmins and the Tamil Brahmins. They have got separate systems of inheritance and separate laws governing them.

DEPUTY PRESIDENT: I think Mr. Sivatanu Pillai has expressed himself in favour of the Bill. The member has expressed himself in favour of the principles of the Bill. Let us proceed.

MR. P. C. KURIYAN (*Kottayam I*): Does the member conceive that of the two classes one is a Kammala and the other is not a Kammala?

MR. G. NILAKANTAN (*Nominated*): Two years before, they were both known as Kammalas.

MR M. SIVATANU PILLAI (*Tovala*): I do not know how they were known. I have travelled all over British India and so far as I know, they go under the name of the Viswakarma community. Now they have gone a step further and call themselves the Viswakarma Brahmins. Why should we pull them down now so that they may be also brought along with the Malayalam speaking Kammalas?

MR. K. R. ELENKATH (*Kalkulam I*): May I know whether it is their desire that they should also be included in this Bill?

MR. M. SIVATANU PILLAI (*Tovala*): They will never certainly be a party to be included.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*): I have referred at the outset to the order of the Madras Government that these people are classified under separate communities.

MR. N. VELU ACHARI (*Co-opted*); മലയാളവും തമിഴും സംസാരിക്കുന്നവർക്കു തമ്മിൽ വല്ല വ്യത്യാസവുമുണ്ടോ എന്ന് മദ്രാസ് കൗൺസിലിൽ ചോദ്യം ചോദിച്ചതിൽ ഇല്ലെന്ന മറുപടി പറഞ്ഞതായി അറിയാമൊ?

MR. M. SIVATANU PILLAI (*Tovala*): രണ്ടു കൂട്ടരെയും ഒരുമിച്ചു ചേർത്തുകൂടാ എന്നു ഞാൻ പറയുന്നില്ല. എന്നാൽ അവരുടെ അഭിപ്രായം കൂടി അറിഞ്ഞതിനുശേഷം വേണം അങ്ങിനെ ചെയ്യേണ്ടതു്.

MR. N. VELU ACHARI (*Co-opted*): രണ്ടു കൂട്ടരേയും ഒരു ബില്ലിന്റെ പരിധിയിൽ ഉൾപ്പെടുത്തി ഇൻറർ മാര്യേജും ഇൻറർ ഡൈനിംഗും നടത്തണമെന്നാണൊ മെമ്പർ അഭിപ്രായപ്പെടുന്നതു?

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DEPUTY PRESIDENT : Now we must come to the close of this.

MR. M. SIVATANU PILLAI (*Tovala*) : I may say that I am one of those who desire that all communities should come together under one section, under one system of life. I will be the last person to put in a wedge between the so-called two communities. The Tamil speaking Kammalas are a distinct entity. The House may not consider the question of enacting legislation as applying to both the communities. That is all my point.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): I oppose the principle of this Bill. Sir, the Kammala community consists mainly of two classes, namely, the Pandi Kammalas and the Malayala Kammalas. Though the Pandi Kammalas own Brahminical Gothras, and resemble the Brahmins in their marriage rites, as far as my information goes, they interdine and inter-marry with the Malayala Kammala. Sir, there is remarkable similarity in the social features of these classes ; they are one and the same community. Looking at the Preamble of the Bill, and the definition of the term Kammala, you may find that the Pandi Kammalas are excluded from the operation of this Bill. Sir, in that respect, the Bill is narrow in its scope and goes against the present tendency of human society. Sir, the Bill instead of trying to weld together the two sections of the community, tends to make a cleavage. This is the mischievous aspect of the Bill and it is calculated to perpetuate dismemberment of the community.

DEPUTY PRESIDENT : The members voice is not sufficiently audible Please make it a little more louder.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): Sir, the Bill seeks to effect a cleavage in the community and thereby tries to perpetuate dismemberment of the community.

MR. P. C. KURIYAN (*Kottayam I*): Is it possible to bring the two sections under the Bill ?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*): It is possible and that is my point. Some of my friends who spoke yesterday supported the principle of this Bill on the condition that Pandi Kammalas should also be brought under the Bill. The speech of the learned Law Member has caused an apprehension in the minds of those who want to include the Pandi Kammalas also in this Bill. I think that it is quite impossible to include them at the Select Committee stage. There may be technical difficulty. I also think that neither the Select Committee nor this House has power to change the Preamble of the Bill and to include the Pandi Kammalas also. If the Bill is sent to the Select Committee there is every possibility of the committee proceeding with the Bill as it stands now. If it so happens, we will be doing a disservice to the community. We should not undertake legislation for the purpose of disuniting various sections of a community. If at all the State and this House undertake such legislation, that should be with the motive of bringing together the various sections and should not be for the purpose of widening the gulf of difference, if any, that exists between the two sections.

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MR. M. SIVATANU PILLAI (*Tovala*) : Is there not a system of law governing the Pandi Kammalas ?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : Yes, there is a system of law governing the Pandi Kammalas and the Malayala Kammalas *i. e.* Mithakshara Law modified by custom and usage.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Whether the same system of law is applied both to the Pandi and Tamil Kammalas ?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : The same system of law is applied to the Pandi and the Malayala Kammalas at present. So my submission is that if legislation is under taken, it should apply to both the sections There is absolutely no justification for this Bill. That is my point. So, my request is that Government and this House should not undertake legislation of this kind and my request to the mover is that he must withdraw the Bill and introduce a Bill concerning the whole community.

MR. P. CHIDAMBARAM PILLAI (*Commerce and Industry, South*) : Does the member agree to the Bill being made optional even to the Malayalam speaking Kammalas ?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : This is a matter which requires serious consideration. If it is made optional even to the Malayalam speaking Kammalas, why should they want the Bill at all ?

With regard to succession, naturally every father will treat his sons and daughters alike. But the mover of this Bill.....

DEPUTY PRESIDENT : After saying that the Bill should be withdrawn are your observations relevant ?

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : My first position that the Bill should be thrown out.....

DEPUTY PRESIDENT : So, your present observation is without prejudice to that idea. Then alright.

MR. S. NILAKANTA PILLAI (*Chirayinkil II*) : The mover of the Bill wants to exclude the daughter and perhaps he thinks that an affectionate father can give his daughter something by way of a will or gift, provided she remains obedient to him. That is wisely calculated step and the mover must be congratulated.

With regard to divorce I think, the provision in this Bill is very lenient. My submission is that the provisions regarding divorce should be made more stringent. According to the present provision it is very easy to get a divorce and it is very cheap also. In the matter of fixing the amount of compensation the grounds alleged for divorce must be taken into consideration along with the position and status of the parties.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*) : I support the principle of this Bill. I want to make some observations with regard to the applicability of the Bill. I may at once say, that the Bill may be made more comprehensive and applicable to all classes of Kammalas in this State. The mover of the Bill makes it applicable to the Malayalam speaking Kammalas alone. I beg to say that the mother-tongue

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[Mr. V. Ramakrishna Panickar.]

of a people or the language of a people is not a very sure test in ascertaining to which community those people belong. The *makkathayee* Vellalas living in Central and North Travancore do speak Malayalam, whereas their brethren living in South Travancore speak Tamil and yet there is no distinction made in their laws relating to matrimony and inheritance.

MR. E. K. KUNJURAMAN (*Momintaed*) : മലയാളം സംസാരിക്കുന്നവരും തമിഴ് സംസാരിക്കുന്നവരുമായ കമ്മാളർക്കു തമ്മിൽ പല ആചാരവ്യത്യാസങ്ങളും ഉണ്ടെന്നറിയാമോ?

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): അതിനെ അടിസ്ഥാനമാക്കിയല്ല നിയമം ഉണ്ടാക്കേണ്ടതു്. അവരെ ഭരിക്കുന്ന നിയമവും ന്യായക്രമവും ഒരു പോലെയായിരുന്നാൽ നിയമം ഒന്നാക്കുന്നതു കൊണ്ടു തരക്കേടില്ല.

MR. M. SIVATANU PILLAI (*Tovala*): May I know whether the member is aware that the system of law relating to marriage and inheritance of the Malayalam speaking Kammalas is entirely different from the system obtaining among the Tamil Kammalas ?

MR. V. RAMAKRISHNA PANICKAR (*Kartikopalli II*): I think it is the same.

MR. M. MAHOMED HANEEF (*Nominated*): Are there not two forms of marriage prevalent among the Kammalas, one by presentation of cloth and the other by *thalikett u*?

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): I think it is one and the same. My position is that the Bill should be made applicable to all classes of Kammalas. Whether Malayalam speaking or Tamil speaking or speaking any other language, they must all be governed by one and the same law.

Of course, there are two or three sections among the Kammalas of the State each claiming superiority over the other in point of caste. But that is no ground for treating them differently in a legislation of this kind. If they are all governed by the same *dayakramam*, then the law that is to apply to all of them must also be one and the same. For instance, we have the recent Malayala Brahmin Regulation. We all know, Sir, that the Malayala Brahmin community consists of different sections like the *Nambootiris*, the *Pottis*, the *Nambiadiris*, the *Elayathoos* and the *Moothathoos*. In fact, there is no intermarriage or interdining between them. Still there is only one Regulation applying to all of them.

MR. K. A. NARAYANA PILLAI (*Todupuzha* cum *Devicolam*): Are the Tamil Brahmins included in that Regulation referred to by the honourable member ?

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*): No.

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Therefore, Sir, it would be desirable if we have one law applying to all the sections of the Kammala community also.

The Law Member has pointed out some technical objection in applying this Bill to all the sections of the Kammala community.

DEPUTY PRESIDENT : That point has already been adverted to by another member.

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*) : The mover of the Bill says that the Bill applies only to Malayalam-speaking Kammalas. It has been stated that the technical objection raised by the Law Member might be removed if the Chair would permit. If it is the intention of the mover that the Bill should be made to apply to all classes of Kammalas and if that is the sense of the House also, I hope the Chair would be generous enough to give the necessary permission.

MR. K. R. ELENKATH (*Kalkulam I*) : Is the member in favour of enacting a measure exclusively for Malayala Kammalas?

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*) : My position is that the Bill should be made applicable to all classes of the Kammala community.

DEPUTY PRESIDENT ; Have you finished?

MR. V. RAMAKRISHNA PANICKAR (*Kartikapalli II*) : I submit there is no time-limit.

DEPUTY PRESIDENT : No, and I shall be the last person to curtail your freedom : but I see that several members are anxious to speak on this Bill.

MR. V. RAMRKRISHNA PANICKAR (*Kartikapalli II*) : Sir, in the light of my suggestion that the Bill should extend to all sections of the community, the definition of the term 'Kammala' has also to be changed. A simple definition to the effect "Kammala shall include all people known and recognised as such," may be quite sufficient.

With regard to marriage, the Bill provides that the marriage of minors will be valid only if they take place with the consent of the legal guardians of the minors. At the same time there is another provision which says that, on attaining majority, it is open to the minors to revoke the marital alliance. These provisions are inconsistent. Further, the married couple may beget children during their minority. To allow divorce at the sweet will and pleasure of one of the parties to the marriage under the above circumstance may lead to disastrous consequences. The provision is therefore objectionable.

The mover of the Bill observed that there is the practice in the community of one and the same woman having more husbands than one at the same time. That practice, if it exists, has to be put an end to.

Then a word about divorce. Some sections of the community are averse to the very idea of divorce. But there may be extreme cases in which, in the interests of all parties concerned, divorce may be necessary. Therefore, I would suggest to the community to take advantage of this opportunity which has presented itself to them and to provide for divorce with suitable restrictions.

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[Mr. V. Ramakrishna Panickar.]

In regard to the provision relating to inheritance, there seems to be a misapprehension that the Kammalas are governed by the *Mitakshara* law of inheritance. I do not think they are governed entirely by that law. There are customs having the force of law which govern their inheritance.

The mover of the Bill referred to the *kudivaippu* ceremony and said that unless that ceremony is gone through, the wife would not acquire any right in her husband's family and would continue to have her rights in her mother's family. No doubt there is that custom in the community, although it is gradually dying away. The Bill may therefore disregard that practice. But some people might have acquired vested rights on account of that practice. It may therefore be necessary to have a saving clause to protect such vested rights.

With these words, I support the principle of the Bill.

DEPUTY PRESIDENT: Considering the prolonged discussion we have had, and also the fact that the number of honourable members who opposed the Bill was very few, I should think that I should call upon the Law Member to speak, unless there is some special, important point of view which has not yet been raised and which may well be placed before the House.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): In the first place I want to place before the House the attitude of the Kammalas of my taluk towards this Bill. A few months back there was a conference of Kammalas which they called Viswakarmajars' Conference. I had the privilege of addressing the conference. I may inform the House that throughout the proceedings of the conference, beyond even the shadow of doubt, there was a strong feeling on the part of the community that this Bill was likely to bring about a cleavage between the two sections of the community. It is the desire of the community to weld together not only the Tamil and the Malayalam speaking sections of it but also every other section which may come under the comprehensive classification known as Viswakarmajars, such as Tamil speaking goldsmiths, blacksmiths, kallasaries and others.

RAO SAHIB MAHA KAVI S. PARAMESVARA AIYAR (*Nominated*): Is there any real difference between Tamil *speaking* Kammalas and Malayalam *speaking* Kammalas, irrespective of the question of their mother tongues?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*): Sir, my own view is that the members of the community are really very ambitious when they want the various sections of it to be welded into one. As suggested by my friend Mr. Parameswara Aiyar, the language that is spoken is not really the important point of difference between the various sections of the community. As has been pointed out by some of the previous speakers, even among the Malayala Kammalas some speak Tamil. That depends on their environments. So far as I know, there is

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marked difference between the cultures, between the manners and customs, and between the traditions of the Tamil Kammalas and the Malayala Kammalas. In my taluk, the Tamil Kammalas do not intermarry, or intermingle in social functions, with the Malayala Kammalas.

MR. N. VELU ACHARI (*Co-opted*) : രണ്ടുകൂട്ടരും തമ്മിൽ യോജിക്കുന്നില്ലാ എന്നുപറയുന്നു. എന്നാൽ അവർ തങ്ങളിൽ വിവാഹം നടത്തുന്നുണ്ട് എന്നറിയാമോ?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*) : ഇല്ലെന്നാണ എന്റെ അറിവ്. There may be exceptions in this community also as there are among other communities.

Coming to the provisions of the Bill, there are serious defects in some of the provisions, for example, in the provision relating to the right of the widow on her former husband's estate.

MR. P. C. KURIYAN (*Kottayam I*) : Is the member referring to the Kammala Bill which is now before the House or to the Hindu Widows' Remarriage Bill which was before the House yesterday?

MR. N. K. KRISHNA PILLAI (*Neyyattinkara I*) : I am sorry I committed a mistake.

Sir, as Mr. Thanu Pillai pointed out, there is no justice or fairness in excluding the daughter from inheritance. That is really a serious defect ; and I hope it will be rectified by the Select Committee.

I hope the Bill will receive the support of the House.

The House rose for lunch at 1 P. M. and reassembled at 2 P. M. with the Deputy President in the Chair.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Sir, a good deal of confusion has arisen in the investigation as to who will all come under the designation ' Malayalam speaking Kammalas". Whatever may be the exactness of the wording used in the Bill, I think that everyone of us who is acquainted with the country will realise that there are two distinct sets of people, one following the Tamil ways and the other following more the Malayalam ways and a distinction is maintained as between them. This is recognised by everyone. Considerable criticism has been levelled against the Bill because the mover has not included a particular section of people within the scope of the Bill.

MR. N. VELU ACHARI (*Co-opted*) : ഭാഷാവ്യത്യാസമുണ്ടായിരുന്നാലും കമ്മാളർ ഒരു സമുദായമായിട്ടാണറിയപ്പെടുന്നത് എന്ന് മെമ്പർക്കറിയാമോ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : They are known as two distinct entities. I do not accept the premises contained in the question of my friend Mr. Velu Achari. He says that they are known as one. I do not admit that. They are known, recognised and admitted as two distinct sets of people.

DEPUTY PRESIDENT : There are many more things as language.

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MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Yes, language is a minor distinction according to me. This Bill became necessary, because, among one set of people who follow Mitakshara law greatly modified by local custom, great divergence and much confusion exist with regard to marriage, dissolution and intestate succession. It has been pointed out that they are following the Mitakshara law. The common adherence to the Mitakshara system has been trotted out as a great argument to show that these two disinct entities are welded together as one community and the mover of the Bill has been ascribed with a motive to drive a wedge into the community to divide it. There are so many people who say that they are following the Mitakshara system of law. There are Kuravas and Pulayas to whom the Mitakshara law is applicable, of course, modified by custom. It has been conceded that all sections of Kammalas, whether they be Tamil speaking or Malayalam speaking, follow the principles of Mitakshara law but as modified by local custom. The local custom has influenced sections of people living in different parts to act according to the customs followed by the other communities amongst whom these people happen to live so much, that their adherence to Mitakshara law is only nominal and many of the customs are entirely antagonistic to the principles of Mitakshara law. Therefore the Malayala Kammalas living and following these customs in the Malayalam speaking areas have nothing in common with these Kammalas following Tamil custom. They deviated from the Mitakshara law farther and farther in a much greater degree than the Kammalas who lived amonst communities strictly following the Mitakshara system of law. Therefore whatever may have been the origin of the Kammalas, whoever might have been their common parent or whichever might have been the common stock from which they descended it cannot but be accepted, that owing to the passage of time, they have become two distinct sections of the community on account of the different customs and manners that they follow. That there are two distinct sets of people cannot be denied. I could have understood the complaint if any section of people has been included without their consent and brought in for the application of a new system of law.

MR. N. VELU ACHARI (*Co-opted*) : മലയാളം സംസാരിച്ചു വരുന്ന കമ്മാളർ തമിഴ് ആചാരങ്ങൾ സ്വീകരിക്കുകയും, മിതാക്ഷരാലാവലംബികളായിരിക്കയും ചെയ്യുന്നതെന്തെന്നു മെമ്പർക്കറിയാമോ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : All these questions have been answered more than once and I shall not allow myself to be diverted from the course of my argument and drawn into irrelevance. I am not making a distinction on the basis of language merely which has created a good deal of confusion. The distinction is made on the basis of solidified customs. I pointed out the attendant circumstances which should not be forgotten and which have brought into existence this distinction. The mover of the Bill has pointed out in the statement made when introducing the Bill that a vast majority of the Kammalas are the Malayala Kammalas following Malayalam customs. They form

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the vast bulk of the community. They number about a lakh and ninety thousand. Only about fifteen thousand or so belong to the so-called Tamil speaking Kammalas. He has with very great respect for the sentiments of the people who follow the Tamil customs, excluded them from the purview of the Bill. Such exclusion cannot be attributed to a desire to dissect the community into two. On the other hand it must be taken to be an expression of respect for the sentiment of those people. As a matter of fact, knowing as we do, the people who follow the Tamil customs more, among these artisan classes called Kammalas, it will be considered a great violation of their existing customs and usages prevalent among them to make this Bill, applicable to them. There will be real difficulty for those people to adopt the provisions of this Bill, though the mover might say that he has no objection to include them also within the scope of the Bill. Then the question will arise whether the provisions of this Bill may not have to be changed fundamentally. Then again the argument will come in that no provision against the principles of the Mitakshara law should be introduced. Then the House and the Committee will have to come to a decision on that. That will mean the majority of Kammalas having very little to do with Mitakshara law will have to accept a law on the basis of Mitakshara principles. That will mean the minority forcing its will on the majority. If that is not acceded to then the Bill will have to go. Then there will be more confusion. The opposition made out that they are against the Bill, because it excludes the Tamils. That is the thin end of the wedge. Once you include them then the cry will be raised that the principles of the law followed by a particular section are violated. Really this is only an indirect attempt to torpedo the Bill. The question that the House has to address itself is whether the vast majority of the Kammalas who follow a particular custom and who are distinct from those who follow to a greater degree the Tamil customs and the Mithakshara system of inheritance, should be separated? Should these people, the Malayala Kammalas, get a definite system of law which may be applicable to them. So far as people who follow more the Malayala customs, *i.e.* the Malayala Kammalas, it will be seen that this Bill will not be considered as an outrageous innovation in their customs and usages. On the other hand the Bill will be considered as very revolutionary by the Tamil Kammalas or those who follow more the customs of the Mitakshara system of law, because, they live among communities who follow that law. It may be asked why should there not be, though there is no intermarriage and interdining, a common law for these two sets of people? I ask in return why should there be a common law for these two sets of people. I ask again if so why should there not be a common law for the Tamil Brahmins and the Nambootiri Brahmins. Both are following the Mitakshara system of law. Both occupy the same position in the same order. The parallel is exact so far as the Tamil speaking and Malayalam speaking Kammalas are concerned. The parallel is exactly applicable with all

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[Mr. K. Kunjukrishna Pillai].

force in this instance as well. Yet nobody has contended and none of these communities contended that for the sake of solidarity all the Brahmins must be grouped together under one and the same law. Why is it? Because they were sensible enough to realise the existing differences in custom. They were culturally different and it was not practicable to weld them together. So far as I am concerned, I am against the inclusion of the Tamil Kammalas, in the scope of this Bill since it will lead to interminable difficulties and endless confusion. According to me this plan is merely an attempt to torpedo this Bill and it ought to be resisted. If they say that there is absolutely no difference between the Tamil and Malayalam speaking Kammalas then why not they come in as Malayalam speaking Kammalas, because, the definition of Malayala Kammalas is so elastic enough to bring them also within the Bill.

MR. VELU ACHARI (*Co-opted*): മലയാളം സംസാരിക്കുന്നവരുടെ കൂട്ടത്തിൽ തമിഴ് സംസാരിക്കുന്നവർ വന്നുചേർന്നാൽ അവരുടെ ഭാഷയിൽ വ്യത്യാസം വരുമെന്ന മെമ്പറിന് അറിയാമോ?

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I am not concerned with that and my argument is not based on the distinction of language. I refuse for the third time to be drawn into that confusion which my friend has created.

DEPUTY PRESIDENT: ഇപ്പോൾ ചോദിച്ച ചോദ്യങ്ങൾക്കുള്ള ഉത്തരം പലതവണ പല പ്രകാരത്തിൽ പറഞ്ഞു കഴിഞ്ഞു. അതിനാൽ ഇനിയും അതിലേക്കുത്തരം പറയണമെന്ന മെമ്പർ ഇഷ്ടപ്പെടുന്നില്ല. ഈ അഭിപ്രായം ശരിയാണെന്ന എനിക്കും തോന്നുന്നു.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): Therefore, there is no attempt to divide the community. It merely recognises the existing distinctions. It will be good in the interests of everybody concerned if this Bill is restricted to the Malayala Kammalas, who will be recognised as a distinct entity by everyone who has any experience of this country.

My friend Mr. Thanu Pillai pointed out certain defects with regard to the provision for inheritance. They are real defects and I think they must be considered only as omissions which could be rectified. They are such obvious errors which the mover of the Bill cannot be expected to make intentionally. Such obvious errors can easily be rectified in the course of the deliberations of the Select Committee. Therefore I think, Sir, the House should not allow things to be complicated by enhancing the scope of the Bill and inviting further confusion and difficulties. The Bill must restrict itself to the Malayala Kammalas, whatever be the wording, to facilitate clearness and to denote the clear distinction between sections of people whose difference is based not merely on language but more substantially on the customs which they follow. With these words I have very great pleasure in supporting the principle of the Bill.

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MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Sir, I take a different view of this Bill and wish to make a few observations on the Bill from my point of view. To me it appears that this Bill suffers from a fundamental defect which should induce us to throw it out without proceeding to consider the merits of it. I shall explain my point of view.

It is essential that every piece of legislation should define exactly its scope and the extent of its application. I am of opinion that this Bill does not define the scope and extent of its application. For this reason the Bill does not deserve to be considered at all. I shall elucidate my position. The Bill is intended to apply to Malayalam speaking Kammalas. The expression 'Malayalam speaking Kammalas' does not connote a definite idea, and is a loose expression. There is no community known as the Malayalam speaking Kammalas. Such an expression is not recognisable in law. I am definitely and emphatically of the opinion that the scope of the Bill has not been exactly defined in the Bill itself. Clause 1 (3) of the Bill which seeks to define its scope has only to be read to be condemned. The test to be applied to determine whether an individual will be subject to this law is one based on the language of the particular person. This is an illusory test. It is not a safe and reliable test. There is nothing to prevent any Malayalam speaking Kammala of today from becoming a Tamil speaking Kammala some time hence. A Malayalam speaking Kammala family of North Travancore may migrate to South Travancore, settle down there and become in course of time a Tamil speaking Kammala family. Likewise a Tamil speaking Kammala family may become a Malayalam speaking family by settling down in North Travancore. What will be the law applicable to such families? The scope of the Bill is restricted to the Malayalam speaking Kammalas. Obviously difficulties will arise in applying the provisions of the Bill. Suppose Mr. Nilakantan has a grand-son born in Madras. He will naturally be a Tamil speaking Kammala. Under the provisions of the Bill he will not come under the scope of this Bill. Will Mr. Nilakantan contend that the Bill should not be applicable to him.

MR. P. C. KURIYAN (*Kottayam I*): What does the member say about the subjects of the State who are both Malayalam and Tamil speaking Kammalas?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): I am coming to that point. That is what I am going to speak about them. The extent of the application so far as the subjects of the State are concerned is not defined. One of the fundamental principles of legislation is that the extent of its operation should be exactly defined. There may be a Kammala who may come under both categories, Malayalam speaking and Tamil speaking. So far as a particular Kammala is able to speak Malayalam, the principles of the Bill will be applicable to him and to the extent to which he is able to speak Tamil, he will not be subject to its provisions. Is this the position which Mr. Nilakantan contends for?

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MR. K. PADMANABHAN (*Chirayinkil I*) : Is it not possible to define the scope and extent of the Bill by an amendment ?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : At the outset I said that the scope of the Bill must be defined by the mover of the Bill. It is not open to this House to define it or to extend or restrict its application. The House will be competent to discuss the Bill only if its scope is defined by the mover.

MR. M. SIVATANU PILLAI (*Tovala*) : Is it the member's point that there is no distinction between the different sections of the community ?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : No. The extent of the operation of the Bill, so far as the subjects are concerned is not defined. Therefore there is the possibility of a person who comes under the law today withdrawing himself from it tomorrow.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*) : Does the member understand from the scope of the Bill that according to it a Malayalam speaking Kammala should speak no language other than Malayalam ?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : I have made myself sufficiently clear on this point. There is a distinction drawn between Malayalam speaking and Tamil speaking Kammalas both in the definition and operation clause and all the difficulty is created by this artificicial distinction. I am referring to this difficulty in order to emphasise it.

MR. M. SIVATANU PILLAI (*Tovala*) : If according to the member those principles are ill defined, is it not open to him to remove the defects ?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : It is the business of the mover to define the scope of the Bill and it is not open to this House to assume the role of the mover in this respect.

MR. N. VELU ACHARI (*Co-opted*) : മലയാളം സംസാരിക്കുന്നവർ എന്നുപറയുന്നതിൽ മലയാളം സംസാരിക്കയും തമിഴ് ആചാരങ്ങളോടുകൂടിയിരിക്കയും ചെയ്യുന്നവർ കൂടി ഉൾപ്പെടുമോ ?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*) : I take very strong objection to the consideration of this Bill because the extent of the application of the Bill is not defined correctly. It is a fundamental defect which goes to the root of the Bill. It is a fatal defect, which does not leave us any choice in the matter. Since the scope of the Bill is not properly defined, there is no good in proceeding with the Bill.

There are other defects also in the Bill. The Bill is intended to apply also to 'Kammalas whether so domiciled or not, as have or shall have marital relations with Malayalam speaking Kammalas domiciled in Travancore'. Suppose a Kammala from British Malabar enters into marital relations with a Malayalam speaking Kammala in Travancore. How can the provisions of the Bill be enforced on him ? Although the law may be enforceable in Travancore, it can be defied and violated by

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him with impunity. He can snap his fingers at your law, although in theory he will be subject to your law. Are we to make a law, with the full knowledge that it will not be obeyed and cannot be enforced? This House should not give its sanction to a piece of legislation which to its knowledge will not be obeyed. How are we to apply the law to all the Malayalam speaking Kammalas whether domiciled or not? Another point I wish to impress on this House is that we cannot legislate for people who are not domiciled in Travancore. That will be an attempt to alter the personal law of people who are not domiciled in Travancore.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Could not the principle of the Bill be applied to those who have entered into marital relationship with the people in Travancore?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): It cannot in practice be done. You can have a piece of legislation on paper, but it cannot be enforced. Take for instance, the case of a Malayalam speaking Kammala from British Malabar who entered into marital relationship with a Kammala girl in Travancore. In so far as his properties in Travancore are concerned, this law may be enforced but not in respect of his properties in British Malabar. The law applicable to these properties will be his personal law. This House should not make laws which will impinge on the personal laws of people who are not domiciled in Travancore.

RAO SAHIB MAHAKAVI S. PARAMESVARA AIYAR (*Nominated*): Are there not similar enactments in Travancore dealing with the question of personal law also?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): The Bill brought forward by the mover contains many absurdities and I am dealing with them. I am not concerned with other pieces of legislation When they come up for discussion, I shall make my comments on them. At present I am making my comments on the Bill before the House. The Bill is lacking in fundamental requisites. Therefore it must be thrown out, without further consideration.

The Law Member said that the Government would adopt a neutral attitude over this Bill. In view of the fundamental defects I have pointed out, I trust that the Government Benches will shake off their neutral attitude and throw in their weight for the rejection of the Bill. The Bill in its present shape does not deserve to be considered at all.

MR. M. SIVATANU PILLAI (*Tovala*): Is the member aware of the distinction drawn by the Census Commissioner in respect of the Malayalam speaking and Tamil speaking Kammalas?

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): There may be. But I am speaking about the absurdities inherent in this Bill. If my friend Mr. Nilakantan comes forward with a Bill free from these defects, I may be inclined to support him.

MR. M. SIVATANU PILLAI (*Tovala*): May I know, in which way the cure lies?

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MR. S. CHATTANATHA KARAYALAR (*Shencotta*): It is not possible to cure the Bill at this stage. It is for the mover to look into it. Anyway the defects of the Bill are not curable by this House. I appeal to the House to throw out the Bill.

Sir, in the view I have taken of this Bill, I do not think it is necessary to make any comments on the provisions of the Bill, although I have got some serious objections to certain specific provisions. I appeal to the House once again to throw out the Bill.

DEPUTY PRESIDENT: Before the discussion proceeds, I shall read out a short passage from the Census Report. I find there has been a very great misunderstanding as to the position of the Kammalas. The Report of the Census Commissioner is an anthoritative statement of the Government and for practical purposes it may be depended upon.

"Kammalas consist of two main classes, Pandy Kammalas and Malayala Kammalas. Each of them is further divided into five occupational castes, namely, Kannan or Anusari (Brazier), Kalthacotan or Kallasari (Stone worker), Kollan (Iron worker), Thachan or Asari (Carpenter) and Thattan (Gold-smith) The different sections of Pandy Kammalas wear sored thread and interdine and intermarry with one another, but those of Malayala Kammalas do not. The Pandy Kammalas own Brahmanical Gotras and resemble Brahmins in their marriage rites. They have been agitating for being called Brahmins under the name of 'Viswa Brahmin' or 'Viswakarma'. The latter name is now being adopted by both the Pandy and Malayala Kammalas. They are all Makkathayis. Among the Malayala Kammalas there are also a few minor subcastes besides these mentioned above, such as Vilkurups and Villasans. Vilkurups who used to make bows and arrows are the recognised priests of the Kammalas. In Mavelikara taluk they also function as barbers to the Kammala community. Their system of inheritance is Makkathayam. Villasans are sawyers by profession and are largely found in Nedumangad taluk They speak Malayalam and are Marumakkathayis."

I have read out this passage just to prevent unnecessary questions being put in respect of distinctions sought to be drawn between the two communities. This may be considered by the House.

RAO SAHIB MAHAKAVI S. PARAMESVARA AIYAR (*Nominated*): I perfectly agree with the view expressed by some of my friends on this side of the House that we shall be landing ourselves in very serious difficulties if we go on the basis of language and divide this community into Malayalam speaking Kammalas and Tamil speaking Kammalas. But although, in the Bill, my friend Mr. Nilakantan has referred to Malayalam speaking Kammalas, I understood from his speech delivered to-day that the Bill was intended to cover Malayala Kammalas as distinct from Tamil Kammalas. Proceeding on that basis there is a clear distinction between these two divisions of the Kammala community. There are well defined differences in the matter of marriage and succession and several other matters, so much so that it seems to me that there can be nothing wrong if we proceed with this Bill for the benefit of Malayala Kammalas alone. At the same time, I consider that it should be open to any person to come forward and say that he is not a Malayala Kammala and that he should be excluded from the operation of this Bill when it is passed into law. That liberty

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will have to be given to the members of the community who are unwilling to accede to its provisions as was done to the members of the Ezhava community who were in a similar position before the Ezhava Regulation was passed. If there is some such provision those who were conscientious objectors may get out of the ambit of this Bill, while others who are desirous of having a law for themselves, can secure it. No doubt a law is very necessary both in the interests of that community as of the other communities, because as Mr. Kuriakose said yesterday it is very difficult to have any dealings with the community because nobody knows what the judgment of a civil court would be when a case goes up before it. All that I mean is that perfect liberty should be allowed to individual families to get out of the provisions of this Bill if they so choose, as regards the transaction entered into by members thereof. On that basis I have very great pleasure in supporting the principle of the Bill.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, I appreciate the spirit with which this Bill is brought forward by the honourable member. The Kammala community, as described by him, has no uniform law throughout the country. Its customs vary from place to place and even the law as known or understood by them could not be got administered to them for want of funds. If that is so, it is absolutely necessary that there must be some uniformity in the law applicable to that community and it is better that that law is clearly laid down by means of a statute. But the present attempt does not appear to be simply to codify the existing law. The Bill also seeks to amend the law obtaining at present. For the amendment of the law it is necessary that the sense of the community must be ascertained. With regard to the Kammala Bill I find very great difficulty to adopt a definite position. A community whose law is not very clearly defined is entitled to have a legislation in the matter. But this House which is not possessed of sufficient materials to legislate upon the matter must see that it does not inflict a law upon a community without ascertaining its sense. With regard to social legislations which have been passed by this legislature, care was always taken to ascertain the general trend of opinion. There was a Marumakkathayam Commission, there was an Ezhava Commission and whenever there was a demand from any community for social legislation there was also an attempt on the part of the Government to ascertain the sense of that community. But with regard to this Bill I do not think any such attempt has been made. The mover of the Bill stated that the opinion of the Division Peishkars have been taken by the Government, and that the Division Peishkars have reported favourably on it. I am not particular about knowing the source from which the learned member got the information. But the authenticity of the same can be relied upon only when it comes from the Government Benches. The Government must, in these matters, supply sufficient materials to this House before calling upon it to exercise its vote.

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DEPUTY PRESIDENT : Government does not call upon this House to do anything.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : The Government owes a duty to this House. It gave sanction for a legislation to be brought forward to this House and it wants this House to record its opinion. The only machinery, according to me, that can collect sufficient materials with regard to these matters is the Government.

MR. S. J. NAIR (*Nedumangad*): May I know the position of those honourable members here who represent that community ?

DEPUTY PRESIDENT ; The position of the honourable members of this House is so well known that I do not think Mr. Damodaran Asan need answer it.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : What I want the Government to do, is to give us meterials to come to a conclusion.

DEPUTY PRESIDENT : There seems to be a misunderstanding which I think I should point out. Mr. Asan probably suggests that Government do not seem to be particular as to the way in which this House should do anything because it is not an official Bill. All that the Government have done was to give permission to Mr. Nilakantan to introduce the Bill so that the burden is now on the mover of the Bill. So I say that the attitude of the Government is not so important in this as in other matters. (Mr. S. J. Nair, hear,hear.)

MR. S. J. NAIR (*Nedumangad*) : Sir, one word of explanation.

DEPUTY PRESIDENT : No word of explanation is required.

MR. A. S. DAMODARAN ASAN (*Mavelikara*) : With regard to a social legislation there is provision that the sanction of the Government must be obtained. The sanction of the Government is expected to be given on the basis of certain facts. I would have been in a better position to come to a conclusion on this matter if I had definite materials with regard to the same. It is not proper that a Bill brought forward for the welfare of a community should be thrown out by us and it is not proper that we must pass the Bill without knowing quite well the views of the community. That is the difficulty. With regard to the difficulty of the members themselves I can make my position clear. We have heard a number of speeches on this matter and I may not be far wrong when I say that there were as many views as there were speakers on the question relating to the customs of the Malayalam speaking Kammalas, Tamil speaking Kammalas and their relationship with one another. When that is the case how can we come to a conclusion with regard to a law that has to be enacted for the whole State? What happens is that the Kammalas follow different customs in different parts of the country. Members who are accustomed to that part of the country know that system and assert that that is the custom of the Kammalas throughout the State. It is due to that circumstance that we had one version from Mr. Sivatanu Pillai coming from South Travancore and other versions from certain other members coming from the middle and northern Travancore. So my point is that we would have been in a much better position if we had sufficient materials to legislate on this matter.

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Coming to the Bill itself, while I wish to see that a law is passed for the promotion of the interests of the community, we must also see that the Bill does not bifurcate the community if there is a homogeneous community known as the Kammalas, in Travancore. Even if the Malayalam speaking Kammalas and the Tamil speaking Kammalas have different customs it is not after all very difficult to have a law which could be acceptable to both. Here we are now discussing the whole matter without having a single member representing the Tamil Kammala community.

MR. S. J. NAIR (*Nedumangad*): Is not Mr. Velu Achari the representative of the Tamil Kammala community?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): No. What he said was that his ancestors were Tamil speaking Kammalas and that he is now a Malayalam speaking Kammala.

MR. P. C. KURIYAN (*Kottayam I*): May I know when he said so?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Yesterday.

DEPUTY PRESIDENT: Mr. Kuriyan must realise that there is no point in that question. The House has been alive to what the members have said and the question as to when he said is not a good question. Considering that we have a good business to do, such questions, I hope, will not be put.

MR. A. S. DAMODARAN ASAN (*Mavelikara*): I am not for excluding any section of the Kammalas from this Bill. But there should be one reservation. Sir, from the Census Report we find that there are certain Christian Kammalas. I do not know whether these Christian Kammalas would like to have this Kammala Bill. All that the Bill says is:—

> "It shall apply to all Malayalam speaking Kammalas domiciled in Travancore and to such Kammalas whether so domiciled or not, as have, or shall have marital relations with Malayalam speaking Kammalas wherever domiciled in respect of their properties in Travancore".

So unless we make some reservation with regard to Christian Kammalas, I fear that there will be opposition from that section as well.

MR. N. VELU ACHARI (*Co-opted*): കമ്മാളർ എത്ര തരക്കാരുണ്ടെന്നു് ഇവിടെ ഒരു സംശയം വന്നു ചേർന്നിരിക്കുന്നു.

DEPUTY PRESIDENT: സംശയമുണ്ടെങ്കിൽ വാ്യ കൊള്ളുക. പ്രസംഗിക്കാതെ ചോദ്യം വല്ലതുമുണ്ടെങ്കിൽ ചോദിക്കാം.

MR. N. VELU ACHARI (*Co-opted*): ഇവിടെ തമിഴ് സംസാരിക്കയും, തമിഴ് ആചാരങ്ങളം വാ്യകൊണ്ടിരിക്കയും ചെയ്യുന്ന ഒരു കൂട്ടർ, മലയാളം സംസാരിക്കുകയും മിതാക്ഷര നിയമം ആചരിക്കയും ചെയ്യുന്ന ഒരു കൂട്ടർ, മലയാളം സംസാരിക്കുന്നവരും മരുമക്കത്തായം അനുവർത്തിക്കയും ചെയ്യുന്ന ഒരു കൂട്ടർ ഇങ്ങനെ മൂന്നു കൂട്ടരുണ്ടെന്നു മെമ്പർ റിയാമോ?

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MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, it is attempted to group Kammalas into different sections, on different basis *i. e.* on the basis of speaking certain language, on the following of certain professions, on the basis of different localities which they inhabit, etc. So, taking all these things into consideration, I would like to have a Kammala Bill for the whole community.

MR. T. P. VELAYUDHAN PILLAI (*Tiruvalla III*): May I know from the honourable member whether a sub-committee appointed by the Select Committee could not elicit the opinions of the members of this community with regard to the provisions of this Bill?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Well Sir, that is a matter about which I am not competent to express an opinion at present. What I am submitting is, that a Kammala Bill is absolutely necessary for the community as a whole. Let the Kammalas also have a law. But this distinction between Malayalam speaking and Tamil speaking Kammalas must be avoided because that is an uncertain distinction which can be got over at any time. My honourable friend Mr. Sivatanu Pillai was telling the House that the Tamil speaking Kammalas wanted to be called Viswakarma Brahmins. They say that they are not Kammalas. So they would not come within the scope of the Kammala Bill.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Why not we call it Viswakarma Bill?

DEPUTY PRESIDENT: That does not arise. It is in the womb of future.

MR. N. VELU ACHARI (*Co-opted*): സെൻസസ്സ് റിപ്പോർട്ടിൽതന്നെ, "Kammalas or Visvakarmas" എന്നു പറഞ്ഞിട്ടുള്ളതായി അറിയാമോ?

MR. A. S. DAMODARAN ASAN (*Mavelikara*): Sir, in the marginal note of the Census Report it is stated "Kammala or Viswakarma". Whatever is said in the Census Report, is not final in the matter. So let us not make any distinction between these two. So, I again say, that it is better to have a Kammala Bill for all the Kammalas. I have no objection in agreeing to the suggestion of Mr. Parameswara Aiyar that provision should be made to give any family exemption from the operation of this Bill but let us have the whole community brought under the operation of this Bill.

With regard to another point, it has been asked whether this House or the Select Committee is competent to enlarge the scope of the Bill to include the Tamil speaking Kammalas also within its scope. My opinion is that the Select Committee and this House have got power to do the same. Anyhow, if it is ruled at a subsequent stage that the scope of the Bill cannot be enlarged this House has got the power of throwing out the Bill at the second or third reading stage. So that need not stand in the way of the members, accepting the principle of the Bill.

MR. A. ACHYUTHAN (*Kartikapalli I*): Sir, I rise to support the principle of the Bill. Sir, there are so far as my knowledge goes, two

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distinct and separate communities in the State, the Pandi Kammalas and the Malayala Kammalas. There is no inter-dining or inter-marriage between these communities. Even in personal appearance the Pandi Kammala is different from the Malayala Kammala. So I don't think that there need be any apprehension that this Bill would bring about a cleavage between these two communities. Mr. Nilakantan Achari knowing as he does the conditions of his community,—

DEPUTY PRESIDENT: There is one correction necessary. The mover of the Bill calls himself Mr. Nilakantan and not Nilakantan Achari.

MR. ACHYUTHAN (*Kartikapalli I*): Mr. Nilakantan wanted to bring out a legislation that would systematise the conduct of Malayalam speaking Kammalas. There is a lot of discrepancy existing in the systems of marriage, devolution of property and other things. So, in order to regulate the conduct of the Malayala Kammalas the Bill is absolutely necessary.

So I support the principle of the Bill.

MR. M. K. JANARDANA KAMATH (*Commerce and Industry, North*): Sir, I support the Bill. I think that the principle underlying the Bill may be accepted. There is no dispute regarding the fact that the Bill will be welcomed by all sections of the Kammala community. The Kammalas form an important community in the State and they have been in the past agitating for legislation regulating their marriage, inheritance, etc. Recently, the needs of other communities such as Nairs, and Ezhavas have been satisfied by passing suitable Regulations regulating their marriage, succession, etc. As the Kammalas are also an equally important community, it is only fair and proper that their needs should also be satisfied by passing a similar Regulation. The Kammalas have held meetings in several parts of the State and have expressed beyond doubt that they would wholeheartedly welcome Mr. Nilakantan's Bill. I had occasion to attend some of their meetings, and even to take part in their deliberations regarding this Bill. I have been deeply impressed with the enthusiasm they have displayed in this matter. They are at present supposed to be governed by Hindu Law and the law of succession now obtaining among them, as observed by Mr. Nilakantan, I think, is quite vague and unsettled. Further, usage or customs prevailing in the community in regard to succession are not in strict accordance with the principles of Hindu Law. It is therefore desirable that the law governing the community in the matter of marriage and succession is settled by means of a Regulation.

With these words, I support the principle of the Bill.

MR. T. T. KESAVAN SASTRI (*Nominated*) : സർ, ഞാൻ ഈ ബിൽലിന്റെ തത്വത്തെ അനുകൂലിക്കുന്നു. കമ്മാള സമുദായത്തിന്റെ പൊതുവേയുള്ള അഭിവൃദ്ധിക്കു ഈ ബില്ല് ഏറ്റവും പര്യാപ്തമായിത്തീരുമെന്നാണ് എന്റെ വിശ്വാസം. പ്രവർത്തികൊണ്ട് വിവിധരീതിയിൽ

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[Mr. T. T. Kesavan Sastri.]

കഴിയുന്നവരാണു് ഇവർ. നാട്ടിൻപുറങ്ങളിൽ മരയാശാരി, കല്ലാശാരി, പൊന്നാശാരി എന്നീ വിവിധരീതിയിൽ അറിയപ്പെടുന്ന ഈ സമുദായത്തിന് ദായക്രമവും പിൻതുടർച്ചാവകാശവും ഇതുവരെ ശരിയായി നിലനിറുത്താൻ സാധിച്ചിട്ടില്ല. ഈ ഗണ്യമായ കുറവിനെ പരിഹരിക്കത്തക്കവണ്ണം ഒരു നിയമം അവതരിപ്പിക്കാൻ ഇപ്പോഴാണ് ഗവണ്മെന്റിനവസരം ലഭിച്ചതുകായ്മുമായി. കേവലം ആചാരപരമായ ജീവിതരീതിയെ അഭയം പ്രാപിച്ചുകൊണ്ട് തമിഴോ മലയാളമോ സംസാരിക്കുന്ന രണ്ടു കൂട്ടരെ സംഘടിപ്പിക്കാൻ പാടില്ലെന്നു് അവരുടെയിടയിൽത്തന്നെ അഭിപ്രായം ഉണ്ടായിരിക്കാം. എന്നാൽ ഈ ഇരുകൂട്ടരുടെയും ഏകകണ്ഠമായ അഭിപ്രായത്തിന്മേൽ ഈ ബില്ലിനെ അംഗീകരിക്കാൻ സാധിക്കുന്നപക്ഷം അതു് സമുദായത്തിനു് ഏറ്റവും പ്രയോജനകരമായിത്തീരും എന്നുള്ളതിൽ പക്ഷാന്തരമില്ല. കർമ്മപരമായ സാമുദായികരീതിയെ മുൻനിറുത്തി സംഖ്യാബലത്തോടുകൂടി മുന്നോട്ടുപോകുന്നതെന്നു വൻപിച്ച സമുദായത്തെ ഭിന്നിപ്പിച്ചു മുന്നോട്ടു നടത്തിക്കാൻ ഈ നിയമസമിതി ഒരിക്കലും അനുവാദം കൊടുത്തുകൂടാ. എന്തുകൊണ്ടെന്നാൽ ഒരേ പേരിനാൽ അറിയപ്പെട്ട സംഖ്യാബലംകൊണ്ടു ഈ രാജ്യത്തു് ഏറെക്കുറെ മുന്നണിയിൽ നിൽക്കുന്ന കമ്മാള സമുദായത്തെ കേവലം ഭാഷയെ മാത്രം ആസ്പദമാക്കി നിയമത്തിൽക്കൂടിയും തരംതിരിക്കാൻപുറപ്പെട്ടാൽ അതു് പൊതുവെ ദോഷകരമായിത്തീരുന്നതാണു്. ഭാഷയെ ആസ്പദമാക്കി പ്രവർത്തിച്ചാൽ കുറെക്കുഴിയുമ്പോൾ ഈ രണ്ടു ഭാഷയിലും പരിജ്ഞാനം സിദ്ധിക്കാത്തവനും ജനനാലും പ്രവർത്തനംകൊണ്ടും കമ്മാളനായിത്തീർന്നിട്ടുള്ളവനും, ഇംഗ്ലീഷ് സംസാരിക്കുന്നവനുമായ ഒരു വ്യക്തി ഈ നിയമത്തിന്റെ പരിധിയിൽപ്പെടാതെ വന്നേക്കാം. അതിനാൽ കേവലം ഭാഷാസൂചനകൊണ്ടുമാത്രം ഒരു ജാതിയമായ നിയമം രൂപീകരിക്കാൻ പാടുള്ളതല്ല. മദ്ധ്യാത്തരതിരുവിതാംകൂറിൽ കമ്മാളസമുദായത്തിൽപ്പെട്ട പലയാളുകൾക്കും ഈ ബില്ലിന്റെ ആദർശങ്ങളേയും തത്വങ്ങളേയും സംബന്ധിച്ചു് ഭിന്നാഭിപ്രായമുള്ളതായി ഞാൻ അറിഞ്ഞിട്ടുണ്ടു്. എന്നാൽ ഈ വക ഭിന്നാഭിപ്രായങ്ങൾ ഈ ബില്ല് സെലക്ട് കമ്മറിയുടെ പര്യാലോചനക്കു വരുമ്പോൾ യഥോചിതം നീക്കം ചെയ്യാവുന്നതാണു്. ഒന്നു രണ്ടു ദിവസത്തിനുമുൻപുള്ള "ഭാരതപത്രിക"യിൽ ഇതരസമുദായത്തിലെ ഒരു മാന്യൻ കമ്മാളബില്ലിനെ സംബന്ധിച്ചു് ഒരു ഭീർഘലേഖനം പ്രസിദ്ധം ചെയ്തിരിക്കുന്നതായികാണുവാൻ കഴിഞ്ഞു. "യോജിപ്പിക്കാൻയോജിപ്പിക്കാതിരിക്കുക"? എന്നായിരുന്നു ആ ലേഖനത്തിന്റെ തലചാവകം. സമുദായത്തിന്റെ സംഘടനയാണു ലേഖകൻ നിർദ്ദേശിക്കുന്നതു്. ഈ ഉപദേശം അവസരോചിത

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വും സഹകാര്യവുമാകുന്നു. കാര്യമായി ഇതിൽ സമുദായാംഗങ്ങളാണ് ശ്രദ്ധിക്കാനുള്ളതും കേവലംനാമമാത്രമായ ഭാഷാസൂചനകൊണ്ടുള്ള വ്യത്യാസത്തെപരിഗണിച്ച് ഈബില്ലിനെ തിരസ്കരിക്കാതിരിക്കുന്നതിന് നിയമസമിതിയും ഗവണ്മെന്റും ശ്രദ്ധിക്കേണ്ടതാണെന്നാണ് ആ ലേഖനത്തിന്റെ സാരം. അതുകൊണ്ട് കമ്മാളബില്ലിന്റെ യോജിച്ചുള്ള നടത്തിപ്പിനു ഇതരസമുദായാംഗങ്ങളായ പൊതുജനങ്ങൾക്കുപോലും താല്പര്യം ഉണ്ടെന്നു കാണാം. അതിനാൽ രണ്ടു പാർട്ടിയിലുമുള്ള ബഹുമാന്യമെമ്പർമാരായ മെസ്സേഴ്സ് നീലകണ്ഠനും, വേലുആശാരിയും ഏകോപിച്ച് ഈ ബില്ലു പാസ്സാക്കുന്ന വിഷയത്തിൽ ഈ അസംബ്ലിയുടെയും ഗവണ്മെൻറിന്റെയും സമുദായാംഗങ്ങളുടേയും ശ്രദ്ധയെ ആകർഷിക്കയാണുവേണ്ടത്. ഈ ബിൽ സമുദായനന്മക്ക് ആവശ്യമെന്നു കാണുകയാൽ ഇതിന്റെ തത്വത്തെ ഞാൻ ബലമായി അനുകൂലിച്ചുകൊള്ളുന്നു. സാഖ്യാബലമുള്ള കമ്മാളസമുദായത്തിന്റെ നന്മയെ മുൻനിറുത്തി ഗവണ്മെൻറും ഈ നിയമസമിതിയും ഈ ബിൽ അംഗീകരിച്ച് ഏത്രയും വേഗത്തിൽ ഇതു നിയമമാക്കിത്തീർക്കുമെന്നു ഞാൻ വിശ്വസിക്കുന്നു.

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): Sir, I may be permitted to add to the number of speakers on this Bill and also to the versions that they have given in this House.

DEPUTY PRESIDENT: Provided you do not repeat. (*Laughter.*)

MR. PUTHUPALLI S. KRISHNA PILLAI (*Quilon II*): I shall not be guilty of that. It is gratifying to note that there is unanimity of opinion on this side of the House as to one principle. It is that the Kammalas do deserve a legislative enactment. On that point, there is no division of opinion. The cleavage appears to come only on one point; whether the Bill has to include in its field of operation only the Malayala Kammalas, or whether it should extend to the entire Kammala community including the Tamil Kammalas. To legislate for both under one Bill is difficult, for there is as much difference between the two as there is between Malayalam and Tamil. The Census Commissioner's Report gives us, at any rate, proof of that distinction. Our own experience with the members of this community, our own knowledge of the conditions prevailing among the members, enable us to be definite on this point.

So far as my opinion goes, in regard to the marital rights, this Bill introduces a vast but definite change. The Malayala Kammala community, so far as I know, are both polygamous and polyandrous. Sir, I have had occasions to conduct cases in which members of the Kammala community have figured as plaintiffs or defendants. The ingenuity of witnesses have very often baffled the knowledge of vakils. The idiosynerasy of Judical Officers has very often defeated the lawful claims of

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the parties and the poverty of the members of the Kammala community has very often deprived them of the lawful decisions of the highest tribunals in the State. It is under these circumstances, that the Malayala Kammala community is working itself out into social evolution in these days.

Now, Sir, in the matter of inheritance, it is always necessary that there should be some definiteness. Fathers should feel that they have got their own children whom they are bound in law to support and to provide for after their death. Now the elder brother feels that the younger brother has as much liability to look after the affairs of the family as himself. If the younger brother feels that the elder brother has got his own responsibility in the management and maintenance of the family, a tendency to make provision for the future becomes completely extinguished and that I submit, must be one of the main impediment to the progress of the average Malayala Kammala family. Even though they are the best workmen in the State, even though they have tried to enhance the reputation of the State and have contributed much to the science of architecture and many branches of industry, which keeps up the prestige and prosperity of the State, we find in the generality of cases or in a vast majority of these artisans, that poverty reigns supreme. They are generally poor, improvident and extravagant. There is no feeling among the members of this community for earning and preservation. It is therefore right that their social condition should improve. In order that such a tendency may be brought in the mind of the members of the community marriages must be regularised.

In regard to the question of marriage, there is this difficulty. So far as the Malayala Kammalas are concerned, they have been more or less following the system of marriages obtaining amongst the class of people with whom they have been freely mingling. I mean the *Marumakkathayam* system of the Nairs and Ezhavas before the Nair and Ezhava Regulations came into force. But the other section of the community, that is the Pandi Kammalas are following the Mithakshara system of marriage. There divorce is unknown, polygamy is recognised and polyandry is not recognised. But here, among the Malayalam Kammalas, polygamy, polyandry and divorce, all these are present. Here the divorce is made free, but regularised. Would that be agreeable to the sense of the members of the Pandi Kammala community? There are several people here belonging to the Pandi Kammala sect whose marriage relationship is influenced from beyond the Ghats, where the Mithakshara law is being administered in all its purity and rigour. Will it be possible for them or the families of that community to agree to such a course? Those who have been looking forward to the husbands or to the families of husbands for their support, during the widowed life will not agree to it. I think the members of the Malayala Kammala community will very freely accept the provisions contained in this Bill. My submission is that so far as possible the operation of the Bill must

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be confined to those for whom, it is designed. We should not press upon the members of the other community a legislation which they do not require and the provisions relating to marriage and divorce should not be thrust on those who follow pure Mithakshara system of marriage and inheritance.

In regard to other matters, the system of inheritance prevalent among the Malayala Kammalas is this. Sons and unmarried daughters inherit equally their father's property. If the daughter has been married away from the house without *Sthridhanam* she takes a share equal to that of the son. If the daughter had been married away from the house with *Sthridhanam*, then she loses all the rights over the property. This is the Mithakshara type of inheritance modified by custom. But on the other hand the rights of the Pandy Kammala daughters are determined by what is obtained in the Mithakshara system alone. It is clear, therefore that there is a sharp distinction in the marriage rights and system of inheritance in the two communities. This Bill is designed for the purpose of affording benefits or regularity in the system of marriage and inheritance so far as the Malayala Kammalas are concerned, who form the vast majority here, and that fact, I submit is conceded by both the mover and his opponents. As was pointed out by some other speakers, if there are members in the Pandi Kammala community who want to adopt the beneficient provisions of this Bill, provision should be made enabling them to accept the legislation that may be passed by this House. We find similar provisions in the Ezhava Regulation. There was one section of the Ezhava community which evidently opposed individual partition. Provision was made to satisfy the demands of such people. Some such course might be adopted here, so that the community may be permitted to unite in law and to the extent to which they can. My humble submission is that some such arrangement should be made in the Bill instead of saying that this Bill must be thrown out. For myself, I am in full agreement with the principle contained in the Bill.

SRIMATI T. NARAYANI AMMA (*Nominated*): I have very great pleasure in supporting the principle of the Travancore Kammala Bill. As pointed out in the Statement of Objects and Reasons, the Kammalas form one of the important communities in the State. The laws relating to marriage, succession etc., obtaining among them being vague and unsettled, there has been a feeling among the members of the community, that as in the case of the other important communities, legislation should be introduced to modify and amend the personal laws of the community. This is only a reasonable demand which deserves to be heartily supported. There may possibly be differences of opinion with regard to the particular provisions of the Bill. But such defects can be cured during the Select Committee stage. We are now concerned mainly with the principle underlying the Bill, which, I for one, heartily support.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Sir, the broad principles underlying the Bill introduced by the honourable member Mr. Nilakantan are certainly acceptable and must be acceptable to

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every honourable member of this House. Because, for one thing it discloses a desire on the part of a very large section of the community—I dare say Mr. Nilakantan must have a very large and influential following—for an enactment like the one now before the House. The community is anxious to have its law relating to marriage, succession, guardianship, testamentary disposition of property, adoption and such other matters, codified properly. To that extent, therefore, I accept the principle underlying the Bill.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Does the member think that this Bill seeks to codify the law now obtaining in the community?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): I think the Kammala community really wants its custom and rules to be codified in the form of a legislative enactment.

MR. S. J. NAIR (*Nedumangad*): Is it codification or simplification that is now attempted? (*Laughter.*)

DEPUTY PRESIDENT: Please avoid such light questions.

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): Sir, this is not the first time that we find this kind of desire on the part of important communities to codify the law governing them. I dare say the honourable members of this House are aware of the fact that even in regard to the Hindu Mitakshara Law, there was a movement in British India some years ago, led by eminent jurists like Sir H. S. Gour and and others, to codify Hindu Law. (Sir H. S. Gour has published a book called "Hindu Code" which is an authoritative text book and a book of reference for lawyers and judges.) Therefore, Sir, there is nothing new in the desire now evinced by the Kammala community in Travancore to have its law codified. That is another reason why I support the general principle underlying this Bill.

A good deal has been said about the distinction between the Malayalam speaking Kammalas and the Tamil speaking Kammalas. Sir, it is seen from the Statement of Objects and Reasons of this Bill that both the Malayalam speaking Kammalas and the Tamil speaking Kamamlas in this State together constitute more than two lakhs of the population of Travancore. Therefore, in considering a piece of legislation which is to decide the fortunes of such an important community, we have to be very careful. Sir, language is not a safe text; so are the differences in the occupations pursued by particular individuals belonging to a community. In a social legislation like this, we should not be guided by linguistic or occupational differences. What we have to consider are the culture—I would call it *samskara*—, the customs and manners now obtaining in the different sects of the community, and the traditions of the community. There is the question of territoriality, which also has to be considered according to the theory of legislation. Sir, there is no use in our treating alike, for purposes of social legislation, all people who follow the same system of inheritance. If so, in Travancore, we should have had only one Regulation governing the Nairs,

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the Ezhavas and the Vellalas, since all these three communities follow the *Marumakkathayam* system of inheritance. Separate Regulations have been enacted for each of these three communities, in spite of the similarity in the system of inheritance, on account of the difference between them in their culture, customs, manners and traditions.

Therefore, Sir, I should think that we would not be unwise in committing this Bill for the consideration of a competent Select Committee which will be empowered to take evidence, if necessary, in the different parts of the country. I refer to this aspect because I come from Vilavankod which is a taluk where you have both the Malayalam speaking and the Tamil speaking sections of the community. In Vilavankod I find some Kammalas with front tuft side by side with others with back tuft, some with the Malayalam style of dress side by side with others dressed like the Tamilians, some speaking Malayalam side by side with others speaking Tamil. I have heard one honourable member hailing from Nagercoil speaking much about the Visvakarmas of his place; and I have also heard other honourable members belonging to other parts of the country speaking about the Malayalam speaking Kammalas. But so far as my taluk is concernd, both these sections of the community have come there and settled down there.

RAO SAHIB MAHAKAVI S. PARAMESVARA AIYAR (*Nominated*): Do they intermarry?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): They do not; I can say that from my own personal experience (*Continued laughter*). I am sorry: I meant personal knowledge, Sir. (*Laughter.*)

MR. A. THANU PILLAI (*Trivandrum-Rural*): May I know what is it that is in common between these two sections of the community?

MR. PACODE A. NARAYANA PILLAI (*Vilavankod*): They are all artizans, and they follow similar occupations in spite of various differences in their customs and manners.

With these words, I commend the general principles underlying the Bill for the acceptance of the House.

MR. G. NILAKANTAN (*Nominated*): Sir, I am deeply gratified that my appeal to this House has been heard with willingness. Much has been said by the co-opted member as regards the ethnological origin of the Kammalas. But that is not relevant at all and therefore I do not propose to go into that matter.

Sir, the argument has been advanced that all those who follow *Makkathayam* should be treated as immigrants. We all know, Sir, that there are ever so many classes in Travancore who are *Makkathayees*. Still they are considered to be natives of this place and not foreigners come from outside. Sir, we have to face facts as they are. I have placed facts without any reserve whatsoever. Now, what are the facts? There is fundamental difference between Tamil Kammalas and Malayala Kammalas. There is difference in their culture. Even in the image that they make there is difference. In the fineness of their art there is difference. In the temples that they construct there is

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difference. Even in the ornamentation of their works there is much difference. I do not want to discriminate between them on account of such differences. I only want to point out that the differences do exist and we cannot close our eyes against them. Sir, I have got 15 years of experience with Tamil Kammalas in South Travancore. In the pamphlet which has been published.....

DEPUTY PRESIDENT: Which is the pamphlet that the member is referring to?

MR. G. NILAKANTAN (*Nominated*): Sir, a pamphlet was circulated here.

DEPUTY PRESIDENT: So far as I could see, no pamphlet was circulated here in this House.

MR. G. NILAKANTAN (*Nominated*): I have got it, Sir.

DEPUTY PRESIDENT: The Secretary assures me that the Government did not circulate any such pamphlet as mentioned by the honourable member, and also that the Government did not permit the circulation of any such pamphlet. I therefore want to make it clear that any such stray publication which the member might have come across has nothing to do with this House.

MR. G. NILAKANTAN (*Nominated*): Sir, I have been charged with hatred towards the Tamil Kammalas.

RAO SAHIB MAHAKAVI S. PARAMESVARA AIYAR (*Nominated*): Are we really concerned with these pamphlets and counter-pamphlets, Sir?

DEPUTY PRESIDENT: That was what I was saying.

MR. G. NILAKANTAN (*Nominated*): Sir, it is said, I am trying to drive a wedge between the two sections of the community. This is stupid. We are a major community and the Tamil Kammalas are very few in number. They can, if they like, merge into ours.

As regards the observation of my friend Mr. Karayalar, I am sorry that he began by hair-splitting differences in the use of words, and ended with such differences.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Does not language matter very much in legislation?

MR. G. NILAKANTAN (*Nominated*): The butler uses broken English and yet he conveys better sense.

MR. S. CHATTANATHA KARAYALAR (*Shencotta*): Are butlers legislators?

DEPUTY PRESIDENT: The House is not legislating for butlers.

MR. G. NILAKANTAN (*Nominated*): I have framed the Bill for Malayala Kammalas. It may contain imperfections and it is left to the Select Committee to rectify such mistakes. I am not a lawyer. I only want the needs of the community to be satisfied by legislation.

Mr. Varughese stated that I have not made enquiries in the community about the necessity for the Bill. Sir, I have travelled from Parur to Cape Comorin. I have talked with the people and ascertained

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their conditions and I can assure the House that there is no man better-fitted to deal with this matter than myself. (*Hear, hear.*) It is such a member of the community that has brought forward this Bill.

MR. N. VELU ACHARI (*Co-opted*) : വിശ്വകർമ്മസമുദായത്തെ പ്രതിനിധീകരിക്കാൻ മിസ്റ്റർ നീലകണ്ഠനെപോലെ വേറെയും പല ബീ.എ. ക്കാരുണ്ടെന്ന് മെമ്പക്കറിയാമോ?

DEPUTY PRESIDENT: That question does not arise. Mr. Nilakantan merely wanted to assure the House of what he thought of himself.

MR. M. SIVATANU PILLAI (*Tovala*) : One question, Sir. Is there not difference between the Visvakarma community and the Malayala Kammala community ?

MR. G. NILAKANTAN (*Nominated*) : What I am saying is that I am in a position to voice forth the views of the community.

MR. P. C. KURIYAN (*Kottayam I*) : I rise to a point of order. Is the member in order in making certain references to himself while the Government have purposely nominated another member also to represent the community ?

DEPUTY PRESIDENT : There is no substance in that point of order. Mr. Kuriyan would not have raised it if he listened to the observations of the Chair. The Chair said that Mr. Nilakantan told the House of what he thought of himself.

MR. G. NILAKANTAN (*Nominated*) : Sir, that is so far as my credentials are concerned. Sir, there are graduates who do not know much about the customs and manners of the community. They are like children.

DEPUTY PRESIDENT: I suppose you do not make the remark about the members of this House.

MR. G. NILAKANTAN (*Nominated*) : I am referring to graduates in my own community.

Sir, there are some people in the community who wish to reform it. They think that if they adopt the customs and manners of a particular class they can remove all the defects in the community. I shall give one instance. In Quilon a marriage was celebrated with all *vedic* rites in a particular house. After the ceremonies were over and before the feeding began there was some dispute as is usual between the bride's people and the bride-groom's people. And then the marriage was dissolved. On the next day another marriage was celebrated. What I say is that these rites have no binding force. Without the aid of law mere imitation of manners and customs of other people cannot profit the interests of the community.

MR. A. TANU PILLAI (*Trivandrum – Rural*) : Has the member any objection to changes being effected in the Bill ?

MR. G. NILAKANTAN (*Nominated*) : I have no objection. There may be defects in the Clauses and these defects may be rectified by the Select Committee. I appeal to the House to pass this Bill.

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DEPUTY PRESIDENT: The question before the House is that the principle of this Bill be accepted.

The motion was put to vote and carried.

MR. K. KUNJUKRISHNA PILLAI (*Quilon I*): I demand a poll as that will be useful in the further stages of the discussion.

A poll was taken with the following results: –

AYES—44.

1 Mr. N. Abdur Rahiman Sahib	23 Mr. T. Krishna Pillai
2 ,, K. C. Abraham	24 ,, K. Kunjukrishna Pillai
3 ,, T. K. Alexander	25 ,, E. K. Kunjuraman
4 ,, A. Achyutan	26 ,, K. M. Kuriakose
5 ,, V. T. Chacko	27 ,, P. C. Kuriyan
6 ,, A. S. Damodaran Asan	28 ,, K. Madhavan
7 ,, Antony George	29 ,, M. K. Madhavan Pillai
8 Miss Hepzibah Gnanasikamony	30 ,, K. A. Narayana Pillai
9 Mr. M. Mahomed Haneef	31 ,, Pacode A. Narayana Pillai
10 ,, S. J. Nair	32 Srimati T. Narayani Amma
11 ,, M. K. Janardana Kamath	33 Mr. G. Nilakantan
12 ,, T. S. Jayantan Namboo-tiri	34 ,, K. Padmanabhan
	35 ,, Edavanatt S. Padmanabha Menon
13 ,, N. John Joseph	36 ,, Kainikkara M. Padmana-bha Pillai
14 ,, J. M. Joseph	
15 ,, T. C. Joseph	37 Rao Sahib S. Paramesvara Aiyar
16 ,, N. Kesava Panickar	38 Mr. V. Ramakrishna Panickar
17 ,, T. T. Kesavan Sastri	39 ,, R. Sivaraman Nair
18 ,, K. M. Krishnan	40 ,, M. Sivatanu Pillai
19 ,, K. P. Krishna Menon	41 ,, A. Tanu Pillai
20 ,, Pottayil S. Krishna Panickar	42 ,, S. Thiraviam Nadar
	43 ,, P. K. Thomas
21 ,, N. K. Krishna Pillai	44 ,, T. P. Velayudhan Pillai
22 ,, Puthupalli S. Krishna Pillai	

NOES—4.

1 Mr. K. R. Elenkath	3 Mr. S. Chattanatha Karayalar
2 ,, S. Nilakanta Pillai	4 ,, N. Velu Achari

NEUTRALS—13.

1 Mr. C. V. Chandrasekharan	8 Mr. K. Mahomed
2 ,, A. Easwara Pillai (Kalkulam II)	9 ,, Kayalam Parameswaran Pillai
3 ,, K. George	10 ,, R. Pitchu Aiyangar
4 ,, C. Kumara Das	11 Rao Bahadur A. Rengasvami Aiyar
5 Rao Bahadur Dr. N. Kunjan Pillai	12 Mr. G. B. E. Truscott
6 Mr. K. Madhava Kurup	13 ,, N. E. Varughese
7 ,, C. O. Madhavan	

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The motion was carried.

The Secretary then read the title of the Bill as "The Travancore Kammala Bill."

MR. G. NILAKANTAN (*Nominated*): Sir, I move that the Travancore Kammala Bill be referred to a Select Committee consisting of the following members :—

1. Mr. T. K. Velu Pillai
2. ,, Kayalam Paramesvaran Pillai
3. ,, Changanachery K. Paramesvaran Pillai
4. ,, A. Thanu Pillai
5. ,, Puthupalli S. Krishna Pillai
6. ,, K. Kunjukrishna Pillai
7. ,, R. Sivaraman Nair
8. ,, N. Velu Achari
9. ,, N. K. Krishna Pillai
10. ,, T. P. Velayudhan Pillai
11. ,, M. Sivatanu Pillai
12. ,, M. K. Janardana Kamath
13. ,, S. Paramesvara Aiyar
14. ,, G. Nilakantan
15. Srimati T. Narayani Amma
16. Mr. K. M. Kuriakose and
17. ,, A. Achyuthan.

MR. M. SIVATANU PILLAI (*Tovala*) : I second it.

MR. N. VELU ACHARI (*Co-opted*) : മിസ്റ്റർ ചട്ടമ്പാടികരയാളരേയും മിസ്റ്റർ ഇലങ്കത്തിനേയുംകൂടി ഈ കമ്മിറ്റിയിൽ ഉൾപ്പെടുത്തണമെന്നു ഞാൻ അഭിപ്രായപ്പെടുന്നു.

MR. G. NILAKANTAN (*Nominated*) : I accept the names. The Committee will report within three months.

DEPUTY PRESIDENT : I believe the House agrees to that motion.

The motion by the leave of the House was carried.

RESOLUTIONS ON MATTERS OF PUBLIC INTEREST.

RESOLUTION *re* PONMUDI TO BE THE SUMMER QUARTERS OF GOVERNMENT.

DEPUTY PRESIDENT : We will now pass on to the next business, *viz.*, resolutions. The first resolution stands in the name of Mr. S. J. Nair.

MR. S. J. NAIR (*Nedumangad*) : Sir, I move the following resolution :

"This Assembly recommends to the Government that Ponmudi be converted into a town and be made the summer quarters of Government."

Sir, Ponmudi is an important place in Travancore. It is one of the first and foremost sanatoriums in the State, and it is the nearest sanatorium to the Capital.

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